

QUESTIONS AND ANSWERS ABOUT CONNECTICUT'S NEW HOME CONSTRUCTION CONTRACTOR LAW

These question and answers are provided as a brief overview of the CT New Home Construction Act. The specific legal provisions of the law can be found in the Connecticut General Statutes Chapter 399a.

Q: Who needs to be registered?

A: Any person or business that builds a new home needs a registration, inclusive of speculative housing. "New home construction contractor" means any person who contracts with a consumer to construct or sell a new home or any portion of a new home prior to occupancy. Exceptions to the requirements are: homeowners applying for their own home construction; Realtors licensed and engaging in work under chapter 392; mobile home dealers and/or licensees covered under chapter 412; persons holding a professional or occupational license; registration or certificate, provided said person engages in work for which said person is licensed, registered, or certified; and new home construction contractors who engage in one or more contracts related to the same new home with an aggregate value of less than thirty-five hundred dollars.

Q: What is a new home?

A: A new home is:

1. a new single family dwelling,
2. a new two family unit, or
3. a new condominium unit.

Q: When are new home construction contractors required to register?

A: Anyone who engages in new home building or offers new home building services must have a valid certificate of registration. Registrations are issued every two years or portion thereof.

Q: If I am already registered as a home improvement contractor, do I still need to register as a new home builder?

A: Yes. If you do both kinds of work, you need two registrations. However, if you hold a current home improvement registration, you do not have to pay the new home construction contractor initial application fee. **You do, however, have to pay the new home guaranty fund fee.**

Q: What information do new home builders have to provide to consumers prior to signing a contract?

A: The new home builder must provide:

1. A copy of the new home construction contractor's valid certificate of registration; and
2. A written notice, in 10-point bold type, that contains the information shown on the following page.

Q: What information is required to be in the contract with the consumer?

A: Every contract must contain a provision advising the consumer that he or she may be contacted by prospective customers unless the consumer advises the builder, in writing, that the consumer prefers not to be contacted

Q: What information should I include in my advertising?

A: All advertising for new home building must contain your registration number. This includes ads in telephone directories, contracts, business cards, stationary, display ads, television, newspaper ads and vehicles.

Q: Do I need to be registered to take out building permits?

A: Yes. Building officials are prohibited from issuing building or construction permits to builders unless they receive a copy of the builder's valid certificate of registration. Registration exceptions are only for homeowners applying for their own home construction.

Q: What are the penalties for violating the new home building law?

A: Violators may be subject to revocation or suspension of their registration to work, civil fines of up to \$1500 per violation, and may be subject to arrest and criminal prosecution.

Q: Must salespeople be registered?

No.

NEW HOME CONSTRUCTION CONTRACTOR REGISTRATION NOTICE

A CERTIFICATE OF REGISTRATION AS A NEW HOME CONSTRUCTION CONTRACTOR DOES NOT REPRESENT IN ANY MANNER THAT THE CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION ENDORSES THE QUALITY OF THE CONTRACTOR'S NEW HOME CONSTRUCTION WORK OR THE CONTRACTOR'S COMPETENCY TO ENGAGE IN NEW HOME CONSTRUCTION. ACCORDINGLY, YOU ARE ADVISED TO:

REQUEST FROM THE CONTRACTOR A LIST OF EACH INDIVIDUAL OR THE FIFTEEN MOST RECENT INDIVIDUALS, WHICHEVER IS LESS, FOR WHOM THE CONTRACTOR HAS ENGAGED IN NEW HOME CONSTRUCTION IN THIS STATE DURING THE CURRENT AND PRECEDING CALENDAR YEAR,

(2) CONTACT SEVERAL INDIVIDUALS ON THE LIST TO DISCUSS THE QUALITY AND THE TIMELINESS OF THE CONTRACTOR'S NEW HOME CONSTRUCTION WORK, AND,

(3) CONTACT THE DEPARTMENT OF CONSUMER PROTECTION TO VERIFY THE REGISTRATION INFORMATION PRESENTED BY THE CONTRACTOR AND TO ASCERTAIN THE CONTRACTOR'S COMPLAINT HISTORY WITH THE DEPARTMENT.

IN ADDITION, YOU ARE ADVISED TO DISCUSS WITH THE NEW HOME CONSTRUCTION CONTRACTOR:

(1) WHETHER THE CONTRACTOR HAS A CUSTOMER SERVICE POLICY AND IF SO, THE INDENTITY OF THE PERSON DESIGNATED TO ASSIST YOU IN RESOLVING ANY COMPLAINT ABOUT THE CONTRACTOR'S WORK, AND,

(2) WHETHER THE CONTRACTOR WILL HOLD YOU HARMLESS FOR THE WORK PERFORMED BY ANY SUBCONTRACTOR HIRED BY THE CONTRACTOR.

(3) THE INSTALLATION OF AN AUTOMATIC FIRE EXTINGUISHING SYSTEM.

THIS NOTICE DOES NOT CONTAIN AN EXHAUSTIVE LIST OF THE INQUIRES YOU SHOULD MAKE BEFORE CONTRACTING WITH A NEW HOME CONTRACTOR. ADDITIONAL INFORMATION TO ASSIST YOU IN YOUR SELECTION OF A NEW HOME CONSTRUCTION CONTRACTOR MAY BE OBTAINED BY CONTACTING THE CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION.



**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION**

FOR OFFICIAL USE ONLY

APPLICATION FOR NEW HOME CONSTRUCTION CONTRACTOR

Sec. I Applicant Information. Please type or print

Name of Contractor or Business Entity			
Trade (DBA) Name			
Street Address			PO Box
City		State	Zip Code
Telephone Number (w/ area code)	Date of Birth	Social Security #	Have you filed a Trade Name Certificate at the Town Clerk's Office where your business is located? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Necessary

If you are using an answering service or mail drop identify the name and address of this service:

Name	Address (Street, City, State, Zip Code)
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* For Sole Proprietors: If your business address is different from your residence address, list your business address above and print your residence address in Sec. III.

Sec. II Organizational Structure:

- | | |
|--|--|
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Limited Liability Company |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Corporation | |

Sec. III Additional Information List Persons Associated with Ownership (Corporate Officers/Partners/LLC /LLP Members)

Attach additional sheets if necessary.

Name		Title	
Street Address	City	State	Zip Code
Business Phone	Social Security #	Date of Birth	

Name		Title	
Street Address	City	State	Zip Code
Business Phone	Social Security #	Date of Birth	

Name		Title	
Street Address	City	State	Zip Code
Business Phone	Social Security #	Date of Birth	

Sec. IV Relevant Information

- Have any court judgments or administrative orders been issued against you or any person, company or entity that is affiliated with you, as a result of your new home construction or home improvement activities in any state? ☐ Yes ☐ No
If yes, what state? _____ Please provide on a separate sheet, a written statement of the facts including the disposition and attach it to this application.
- Has the applicant, or any of the partners, corporate officers or members ever been convicted of a felony crime? ☐ Yes ☐ No
If yes, please attach a detailed statement providing the date(s) and nature of conviction(s), where the case(s) were decided and a description of the circumstances relating to each conviction.
- List the name and address of your liability and workman compensation (if needed) insurance carrier for your new home construction activities?

- Does the applicant currently hold a Connecticut Home Improvement Contractor's registration? ☐ Yes ☐ No
4a. Years Held? _____ 4b. Registration Number: _____

Over ➡

Certification

Connecticut General Statutes, Sec. 53a-157 provides "A person is guilty of false statement when he intentionally makes a false written statement under oath or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable, which he does not believe to be true and which statement is intended to mislead a public servant in the performance of his official function."

Sec. V Notarized Statement

I CERTIFY, UNDER PENALTY OF LAW (SEC. 53a-157, CLASS A MISDEMEANOR), THAT THE ABOVE PROVIDED INFORMATION IN THIS APPLICATION IS THE TRUTH TO THE BEST OF MY KNOWLEDGE.

Signature of Applicant

Date

Signature of 2nd Applicant

Date

Subscribed and sworn before me this _____ day of _____ 20_____

Signed: (Commissioner of Superior Court/Notary Public/Justice of the Peace)

My Commission Expires

Seal

➔ UNTIL YOU RECEIVE YOUR REGISTRATION, YOU MAY NOT ACT AS A NEW HOME CONTRACTOR

NEW HOME CONSTRUCTION CONTRACTOR APPLICATION INSTRUCTIONS

Checks or money orders should be made payable to: **"TREASURER, STATE OF CONNECTICUT"**

If your application is <u>received</u> by this Department between:	Your payment is:			
	REGISTRATION FEE	GUARANTY FUND FEE	TOTAL FEE	EXPIRATION
October 1, 2005 - March 31, 2006	\$120.00	+ \$480.00	= \$600.00	9/30/2007
April 1, 2006 - September 30, 2006	\$ 90.00	+ \$360.00	= \$450.00	9/30/2007
October 1, 2006 - March 31, 2007	\$ 60.00	+ \$240.00	= \$300.00	9/30/2007
April 1, 2007 - September 30, 2007	\$150.00	+ \$600.00	= \$750.00	9/30/2009

** If you currently hold a valid home improvement registration and are applying as the same legal entity, you do not have to pay the initial new home construction contractor REGISTRATION fee. You must, however, pay the new home construction GUARANTY FUND fee.

If you are applying as an **INDIVIDUAL**, complete:

SEC I. Business Information.

Print your business information and the business name you represent if appropriate.

* If your business and residence address are different, complete your business address and add your personal residence address to Section III.

SEC II. Organizational Structure. Check "Sole Proprietorship"

SEC IV. Relevant Information. Answer all questions listed.

If you are applying as a **PARTNERSHIP**, complete:

SEC I. Business Information. Print your business information.

SEC II. Organizational Structure. Check "Partnership"

SEC III. Additional Information. Complete the personal information and residence address for each partner.

SEC IV. Relevant Information. Answer all questions listed.

SEC V. Signature. Each partner must sign.

If you are applying as a **CORPORATION, LIMITED LIABILITY COMPANY or LIMITED LIABILITY PARTNERSHIP**, complete:

SEC I. Business Information. Print your business information.

SEC II. Organizational Structure.

Check "Corporation" and provide your Articles of Organization.

Check "Limited Liability Company" and provide your Articles of Organization.

Check "Limited Liability Partnership" and provide your Articles of Organization

SEC III. Additional Information. Complete the personal information for corporate officers, LLC or LLP members; submit your Articles of Organization.

SEC IV. Relevant Information. Answer all questions listed.

SEC V. Signature. At least one (1) Corporate Officer, LLC or LLP Member must sign.

1. Return completed application and payment to:

Department of Consumer Protection, License Services Division, 165 Capitol Avenue, Hartford, CT 06106

2. Application must be accompanied by check or money order made payable to, "**Treasurer, State of Connecticut.**"

3. Your application must be signed in front of a **Notary Public, an Attorney, or Justice of the Peace.**

4. Please allow approximately three weeks for processing, issuing, and mailing of your registration card if your application is complete when received. Incomplete applications will be returned. During this period, you are **NOT REGISTERED.**

5. You must notify the Department in writing of any **change of address or change of business name.** If you change the legal entity of the business, for example, from a sole proprietorship to a LLC, you must submit a new application.

6. You must include your **registration number in any advertisement** you place.

7. Registration certificates are **non-transferable.**

8. Please be certain **all contracts contain the necessary provisions** required by the New Home Construction Contractors law.

9. Each corporation is required to designate and record on this application (Sec. III) a **Contractor of Record** for their corporation. The Contractor of Record is an individual designated by the corporation to direct and supervise the performance of new home construction by the corporation of the state.

10. **Submit a copy of your Articles of Organization** from the Connecticut Secretary of State if you are applying as a corporation, limited liability company or limited liability partnership.

11. Once registered, the failure to receive a notice of expiration or a renewal application does not exempt you from the obligation to renew.

➤ **FOR ADDITIONAL INFORMATION CONTACT:**

Department of Consumer Protection:

165 Capitol Avenue
Hartford, CT 06106

Website: www.ct.gov/dcp

Trade Practices Division: (860) 713-6110

Email: tradepractices@ct.gov

Secretary of State:

30 Trinity Street
Hartford, CT 06106

Website: www.sots.state.ct.us

Commercial Recording Division: (860) 509-6200

Email: crd@po.state.ct.us